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Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran*, **

Note by the Secretariat

In its resolution 34/23, the Human Rights Council requested the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran to submit a report to the Council at its thirty-seventh session.

Pursuant to the decision taken by the Council on 26 February 2018, the Coordination Committee of Special Procedures has the honour to transmit the report that the Special Rapporteur on the situation of human rights, Asma Jahangir, who passed away on 11 February 2018, shared with the Government of the Islamic Republic of Iran on 25 January 2018. Given that the State concerned submitted its comments on the report on 21 February 2018, after the passing of the mandate holder, it was offered the opportunity to have its comments circulated to the Council.

* The present report was submitted after the deadline as a result of consultations with the Islamic Republic of Iran. It is being circulated without formal editing.

** The annex to the present report is reproduced as received, in the language of submission only.

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Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran

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I. Introduction

1. The Special Rapporteur has observed a worrying picture developing in the human rights situation in the Islamic Republic of Iran since the issuance of her last report in August 2017.[1] Despite assurances from the Government, improvements are either not forthcoming or are being implemented very slowly and in piecemeal. However, the Government has continued to engage with the Special Rapporteur's mandate, issued a voluntary mid-term report for the universal periodic review, and substantively engaged with the Committee on the Rights of Persons with Disabilities.[2] Furthermore, much-awaited amendments to the drug-trafficking law will reduce the imposition of capital punishments but it still retains the mandatory death penalty in some cases.

2. This recent period has also been touched by tragedy. In November 2017, an earthquake led to the death of over 600 persons. The Special Rapporteur takes the opportunity to express her deepest sympathies to the families of the victims, and to offer her sincerest condolences.

3. On 29 December 2017, demonstrations about falling living standards, widespread unemployment and rising food prices began in the city of Mashhad. The demonstrations both against and in support of the regime, spread to several major cities amidst multiple reports indicating that the Government had blocked the Internet on mobile networks. In some regions, access has been reportedly shut down altogether. Official news channels reported that at least 22 people, including two security officers, were killed in clashes with security forces, and police confirmed the arrest of at least 1,000 individuals across the country. Subsequently, a member of the parliament stated that 3,700 people have been arrested. It is understood that a large number of students who did not even take part in the protests were arrested under preventive detentions.

4. Following the protests, the Secretary General deplored the loss of life and urged respect for the rights to peaceful assembly and freedom of expression.[3] The High Commissioner for Human Rights urged the authorities to handle the protests "with great care so as not to further inflame violence and unrest," and to investigate all deaths and serious injuries that occurred.[4] The Special Rapporteur issued a joint statement with other special procedure mandate holders urging the authorities to limit the use of force to a strict minimum and to fully respect the rights of protesters, including their rights to life, freedoms of expression and peaceful assembly. The mandate holders also expressed concern at the restrictions placed upon access to the Internet and the shutdown of social media services such as Instagram and Telegram in an attempt to quell the protests.[5]

5. The Special Rapporteur was dismayed at the reports quoting members of the judiciary, who stated that the protesters would be awarded the harshest of punishments.[6] She shares worries expressed about the fate and conditions under which those arrested are being held, following reports received of the death of a number of persons held in custody, some of whom had been arrested during the protests. The Government has stated, inter alia, that the right to protest is guaranteed under the Constitution and that no one was detained for peaceful protest or expression of opinion.

6. Since the issuance of her last report, the Special Rapporteur notes the uncertainty regarding the Joint Comprehensive Plan of Action, which was endorsed by the Security Council in 2015.[7] The Special Rapporteur joins comments made by the Under-Secretary General for the Department of Political Affairs that the agreement is in the interest of global

[1] A/72/322.
[2] CRPD/C/IRN/CO/1.
[3] See www.un.org/press/en/2018/db180103.doc.htm.
[4] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22571&LangID=E.
[5] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22574&LangID=E.
[6] See https://ca.reuters.com/article/topNews/idCAKBN1ER0FT-OCATP.
[7] Security Council resolution 2231 (2015).

non-proliferation, and of regional and international peace and security,[8] and takes the opportunity to recall the comments of her predecessor that peace, development, and human rights are deeply interlinked; that the lifting of economic sanctions leads to a beneficial multiplier effect on the human rights situation;[9] and maintains the view that any imposition of economic sanctions combined with reduced dialogue and international cooperation will ultimately undermine the full enjoyment of civil, social, and economic rights in the country.

7. Since the issuance of her last report, the Special Rapporteur visited Sweden, Norway, and the United Kingdom of Great Britain and Ireland. During her visits, she was able to meet with victims, relatives of victims, human rights defenders, and representatives of civil society organisations. The Special Rapporteur also analysed Government statements, reports and comments; legislation; and various State and non-State media news reports. She also received information from individuals, and non-governmental organisations operating inside and outside of the country which she sincerely appreciated. The information collected has been used to assist in identifying trends and/or to corroborate other accounts. The environment for persons coming forward remains challenging, with many expressing concern of reprisals. Accordingly, some individuals' identities in this report have not been disclosed.

8. In September 2017, the Special Rapporteur met with Government and judicial officials in Geneva. The Special Rapporteur appreciated the substantive engagement and efforts undertaken to facilitate the meeting. The Special Rapporteur presented her first report to the General Assembly in October [10] and took the opportunity to also meet with representatives of the Permanent Mission of the Islamic Republic of Iran to the United Nations, other Permanent Missions, and civil society organisations during her visit.

9. From June to December 2017, the Special Rapporteur transmitted nine communications to the Government jointly with other special procedure mandate holders. At the time of writing, the Government has responded to seven of these communications. The Special Rapporteur also issued six public statements during this period.

10. The Special Rapporteur renews her call on the Iranian authorities to allow her to visit the country at the earliest opportunity to assess the human rights situation in the country. It would allow for greater engagement and cooperation between the mandate and the authorities in the Islamic Republic of Iran.

11. In her previous report, the Special Rapporteur welcomed the adoption of the Charter on Citizen's Rights. In December 2017, the first national conference on reporting the progress of the Charter was held during which the Council of Ministers presented their reports on the implementation. The Special Rapporteur welcomes the comments made by President Rouhani during the conference specifically when he noted that that people must feel the observation of the charter in their daily lives; that executive organs must be pioneers of removing unjust discriminations; and that although full observation of citizenship rights are related to other institutions and branches, the executive branch must be the pioneer of its observation.[11] At the closing, the President noted that a "sense of justice and secured citizens' rights were the basis for peace in the society". The Special Rapporteur sincerely hopes that the Charter is translated into a comprehensive legal framework and improvements on the ground.

12. The developments noted contrast starkly with the credible information that the Special Rapporteur has received which reconfirm a worrying picture, of violations of due process and the right to a fair trial; arbitrary arrests and detentions; continuing executions, including of juvenile offenders; new restrictions placed upon freedom of expression, association and peaceful assembly and access to information; conditions of detention; the denial of adequate medical care; torture and other ill-treatment in detention, in particular to coerce confessions;

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[8] Security Council Briefing on the Fourth Report on the !mplementation of Security Council Resolution 2231 (2015), 19 December 2017, available at www.un.org/undpa/en/speeches-statements/19122017/resolution2231.

[9] See http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16239&LangID=E.

[10] See http://statements.unmeetings.org/media2/16154427/statement-of-the-sr-iran_for-submission.pdf.

[11] See http://president.ir/en/102060.

and discrimination against women; religious and ethnic minorities, and lesbian, gay, bisexual, and transgender individuals.

II. Civil and political rights

A. Right to life

1. Use of the death penalty

13. During the last six months of 2017, 208 executions were reportedly carried out. In 2017, in total, 482 executions were reported, compared to the 530 in 2016, and the 969 in 2015.[12] The highest number of executions was carried out for drug related offences (213), and for murder (202). In the other instances people were executed for "sexual offences" (24), robbery and armed robbery (16) and for "political offences" (2).[13] Executions were also carried out against women (6 cases), juvenile offenders (5 cases) and also minorities (84 instances).

14. The Special Rapporteur notes the reduction in the number of reported executions but remains alarmed by the number of individuals who have been executed and by the number of death sentences handed down not least because of a consistently reported pattern of serious violations of the right to fair trial and denial of due process by the courts in the application of death sentences.[14]

2. Amendments to the drug-trafficking law

15. In October 2017, the Guardian Council of the Islamic Republic of Iran approved a bill that amends the drug-trafficking law. The newly amended law, which came into force on 14 November 2017, amends the punishment for those drug offences that previously carried the death penalty or life in prison, to a prison term of up to 30 years and increases the quantity of drugs required to impose a death sentence.

16. The Special Rapporteur welcomes this amendment, which provides for retroactive applicability, and is encouraged by reports that no related executions have been carried out since its entry into force. In January 2018, the Supreme Court announced that those sentenced to death for drug crimes will have their sentences commuted if they apply for it.[15] Reportedly, about 5,300 persons currently on death row for drug crimes are affected; 90 per cent are first-time offenders, aged between 20 and 30.[16] Many are economically vulnerable, and there are a large number of foreign nationals from Afghanistan and Pakistan affected, many of whom face barriers in the exercise of their rights in part due to lack of access to consular services.

17. The amended law however retains mandatory death sentences for a wide range of drug-related offences. The Special Rapporteur recalls that under article 6(2) of the International Covenant on Civil and Political Rights, which the Islamic Republic of Iran has ratified, the death penalty may be applied only for the "most serious crimes" in countries that still retain capital punishment. The Human Rights Committee considers that drug offences per se are not among the "most serious crimes," and that the use of the death penalty for such crimes therefore violates international law. It has further stated that mandatory death sentences that leave domestic courts with no discretion on whether or not to designate the offence as a crime entailing the death penalty, and on whether or not to issue the death sentence in the particular circumstances of the offender, are arbitrary in nature. The Special Rapporteur recalls the irreversible nature of capital punishment, and calls upon the Government to ensure compliance with the safeguards guaranteeing protection of the rights of those facing the death penalty.[17]

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[12] See www.iranrights.org/projects/omidmap.

[13] Ibid.

[14] See for example, section II, Part F of the present report.

[15] See www.ghanoondaily.ir/fa/news/main/94206.

[16] Ibid.

[17] UN Economic and Social Council resolution 1996/15, adopted on 23 July 1996.

3. Execution of juvenile offenders

18. The minimum age of criminal responsibility remains nine lunar years for girls and 15 lunar years for boys. The amended Islamic Penal Code retains the death penalty for boys of at least 15 lunar years of age and girls of at least nine lunar years for *qisas* ("retribution in kind") or *hudud* crimes, such as homicide, adultery, rape, theft, armed robbery or sodomy. These laws contravene juvenile justice standards. [18] Such laws also contravene the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child, which have been ratified by the Islamic Republic of Iran and prohibit the execution of persons who were under 18 at the time of their offence, regardless of the circumstances and nature of the crime committed. No progress has been observed in addressing these concerns, which have been raised by special procedure mandate holders and the Committee on the Rights of the Child.

19. According to information received, 80 individuals are presently on death row and sentenced to death for crimes committed when they were minors. In 2017, five juvenile offenders were executed. In July 2017, a 21-year-old prisoner was hanged. He had been arrested aged 13 years old on drug related charges. Alireza Tajiki, who was arrested at the age of 15, was hanged in August 2017.[19] According to credible sources, the execution of Tajiki was carried out despite numerous factual discrepancies in his case file and the lack of adequate due process. Amirhossein Pourjafar, aged 16 years old when he was sentenced to death, was also executed in January 2018, despite repeated calls for annulment by special procedure mandate holders. [20] Shortly thereafter, the Special Rapporteur called for the annulment of the death sentence imposed upon Abolfazl Chezani Sharahi, who was aged 15 years old when he was sentenced to death.[21] The execution was postponed, and the Special Rapporteur reiterates her call for annulment.

20. International obligations of the Islamic Republic of Iran under the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child prohibit the imposition and execution of the death penalty on persons below 18 years of age. In this regard, it is noted that during its first universal periodic review, the Islamic Republic of Iran accepted a recommendation to consider the abolition of juvenile executions. The implementation of this recommendation is still awaited.

4. Summary executions in 1988

21. Since the issuance of her previous report, the Special Rapporteur has continued to receive documentation and letters concerning the reported summary execution and forced disappearance of thousands of political prisoners, men, women, and teenagers in 1988. Over 150 individual submissions were received in the course of 2017. The Special Rapporteur also met with families of some of the victims during her missions. They described the difficulty they had faced in obtaining information of these events, known as the 1988 massacres, which continue to be officially unacknowledged. The Special Rapporteur also heard first-hand accounts about the harassment of those continuing to advocate for further information related to the events that took place in 1988.

22. The Special Rapporteur reiterates that families have the right to remedy, reparation, and the right to know about the truth of the 1988 massacres and about the fate of the victims. The Special Rapporteur is also concerned by reports received of the reported desecration of sites believed to be mass graves in the city of Mashhad, Razavi Khorasan Province and in Ahvaz, and urges the Government to ensure that all locations are preserved and protected until investigations into the events can be carried out.

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[18] See General Comment No. 10 (2007) of the Committee on the Rights of the Child on children's rights in juvenile justice, para. 30.

[19] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21958&LangID=E.

[20] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22258&LangID=E.

[21] See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=22587&LangID=E.

B. Right to be free from torture or other cruel, inhuman or degrading treatment or punishment

1. Torture and other ill-treatment in detention

23. Consistent reports received suggest a pattern of physical or mental pressure applied upon prisoners to coerce confessions, some of which are broadcast. A recent report prepared by the Freedom from Torture organisation also found that the majority of interviewees described being interrogated and tortured concurrently, either during all or some incidences of torture and other ill-treatment, commonly with a view to extracting information about them, as well as third parties including family and friends, and to force confessions.[22] Incidents documented include sexual violence, including rape; blunt force trauma; positional torture; burns; sharp force; electric shocks; use of water; crushing; pharmacological torture; asphyxiation; amputation; sleep deprivation; threats and humiliation; and prolonged solitary confinement, including on the basis of ethnicity, religion, political views, or having transgressed expected social norms.[23] The Special Rapporteur met at least six persons during her missions who had had been detained but were able to subsequently flee the country who still bore marks of torture. They appeared to be still in a trauma and feared reprisals for their families if they were suspected of speaking to the Special Rapporteur.

2. Conditions in detention

24. The Special Rapporteur has also continued to directly receive reports about inhuman and degrading conditions in prisons, which are consistent with the continuing public reports issued by human rights organisations describing inadequate accommodation; imprisonment in cramped cells; inadequate provision of food and water; unhygienic conditions; and restricted access to toilet facilities.[24]

25. In August 2017, special procedure mandate holders expressed concern about the situation of 53 prisoners, including 15 individuals from the Baha'i community, who were on prolonged hunger strike to protest against their transfer to a high-security section of Rajai-Shahr prison in Karaj, and about the reports of torture and other ill-treatment in detention.[25] The prisoners had reportedly not been allowed to take their personal belongings, including medicines, and were deprived of medical care. The Government responded by noting that the transfer of the prisoners had been undertaken in line with the law and filmed. It also noted that the prisoners' medicines and necessities had been delivered to them, and that medical care had been provided. The Special Rapporteur has continued to receive concerning reports about the conditions and denial of medical care, with additional concerns raised related to the denial of basic items; inadequate protection against the cold; a lack of hot water; and insufficient ventilation, which is particularly concerning given the health of a number of prisoners held there.

26. In previously provided comments, the Government noted that the Department of Justice carries out periodical and impromptu prison inspections, and that action had been taken against those suspected of misbehaviour. The Special Rapporteur notes these comments, as well as the denials of allegations of torture and other ill treatment. In light of this, the Special Rapporteur recommends that the Government provides further information, including whether independent, prompt and effective investigations have been carried out following allegations, and the outcomes of such investigations with respect to the ensuring accountability of perpetrators, reparation and redress to victims, and fair trial processes. Further, the Special Rapporteur encourages the Government to make reasonable, justified, and proportionate use of modern technology to ensure the wellbeing and safety of prisoners,

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[22] See Report, *Turning a blind eye*, Freedom From Torture, page 33, available at www.freedomfromtorture.org/sites/default/files/documents/iran_report_2017_a4_final_final_web_optimised_1.pdf.

[23] Ibid.

[24] See for example, Report, Behind Bars in Iran, Iran Prison Atlas, May 2017 available at https://united4iran.org/wp-content/uploads/FinalReport.pdf.

[25] See http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=22017&LangID=E.

and to monitor the treatment of prisoners by the prison authorities, in a manner consistent with international human rights standards.

3. Denial of adequate medical care

27. A continuing feature observed by the Special Rapporteur, in particular in cases concerning political prisoners, is the ongoing reports of the denial of adequate medical care, including during and after hunger strikes, with the aim of intimidating, punishing, or coercing detainees, in contravention of the United Nations Standard Minimum Rules for the Treatment of Prisoners[26] and Iranian law. This pattern has also been documented by human rights organisations.[27] In this context, in January 2017, the Special Rapporteur expressed alarm at the critical health situation of several prisoners of conscience on life-threatening hunger strike to contest the legality of their detention and to protest against inadequate medical care provided to them.[28] The Government has previously denied such allegations, both in the context of individual cases raised and in general, further stating that free and required medical services are provided to prisoners.

28. An illustrative case concerns the situation of Mohammad Nazari, a critically ill prisoner of conscience who has been imprisoned for over 20 years. Reportedly he was convicted on the basis of forced confession following torture without access to a lawyer. He initiated a hunger strike in July 2017 to draw attention to his call for a judicial review of his sentence in accordance with the 2013 amendments to the Islamic Penal Code. His health deteriorated significantly, and it is understood he is in need of specialised medical care which has not been afforded to him. In October he was transferred to a hospital on an emergency basis but then returned back to prison.

4. Floggings and amputations

29. The Special Rapporteur has continued to receive unabated reports of cruel, inhuman, and degrading punishments. According to information received by the Special Rapporteur, over 100 flogging sentences have been awarded, and 50 have reportedly been implemented in the course of 2017. In addition, between January to December 2017, 19 sentences of amputation of hands or feet were awarded and 5 such sentences were carried out. Officials have previously commented that amputations were conducted in rare cases where "committed crimes may have disturbed the safety or sentiments of a huge number of people".[29] The Human Rights Committee has determined that these penalties are not compatible with the International Covenant on Civil and Political Rights, which the Islamic Republic of Iran has ratified.[30] The Special Rapporteur further wonders how the sentiments of a huge number of people can be measured and whether the Iranian courts have developed a set of objective criteria to determine the balance between sensitivity of one group against the other in the light of the rights of the accused who is entitled to be treated with dignity.

C. Freedom of expression and opinion, and access to information

1. Access to information

30. The Special Rapporteur has observed concerning developments which risk severely limiting access to information in the country, in particular online, contrary to Article 26 of the Charter on Citizen's Rights.

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[26] General Assembly resolution 70/175.

[27] See for example, statement by Amnesty International, available at www.amnesty.org/en/latest/news/2016/07/iran-is-putting-political-prisoners-lives-at-risk-by-denying-them-medical-care and Report, Turning a blind eye, Freedom From Torture, page 35, available at www.freedomfromtorture.org/sites/default/files/documents/iran_report_2017_a4_final_final_web_optimised_1.pdf.

[28] See http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21071&LangID=E.

[29] See http://newspaper.fdn.ir/newspaper/page/2175/10/109782/0.

[30] CCPR/C/79/Add.85, para. 9.

31. During the past three years, the Government reportedly closed seven million web addresses.[31] These include Facebook, Twitter, Instagram and the websites of human rights and political opposition groups, amongst others.[32] In August 2017, the Supreme Cyberspace Council introduced regulations, which would increase surveillance capabilities, and require social media and messaging platforms to either move their servers to the country or face blocking orders.[33] In October 2017, the Islamic Republic of Iran's oldest social network Cloob was shut down, and social media location sharing platforms Foursquare and Swarm were blocked. Disturbingly, in November 2017, the secretary of the Supreme Cyberspace Council suggested that users would have to "verify" their identity when logging onto the Internet.[34] The Special Rapporteur urges the Government to reverse the direction in which these moves point to, noting that access to information underpins the enjoyment of fundamental rights.

32. The Special Rapporteur notes some officials had recently suggested that the ban on accessing Twitter could be lifted.[35] In December 2017, President Rouhani stated "We need a secure communication atmosphere for people, not a suppressive one in which people's rights are violated," and that "The Minister of Information and Communications Technology won't put his hand on censorship button".[36] The Special Rapporteur hopes that such resolves will be sustained and allow greater freedom of expression and access to information within the country.

2. Freedom of opinion, expression and the press

33. The Special Rapporteur has continued to receive reports of the arbitrary arrest, detention, and harassment of journalists, media workers, and their families, including during interviews conducted during missions. As at August 2017, Reporters without Borders estimated 27 journalists were imprisoned,[37] and that 94 Internet users, most of whom were Telegram users, had been arrested since the beginning of 2017.[38] The organisation further documented threats to at least 50 journalists based abroad in the year ending September 2017.[39] In April 2017, special procedure mandate holders raised concerns following the arrest and detention of eight journalists, members of political groups, social activists, and film producers.[40] In its reply, the Government denied the concerns raised.[41]

34. In the course of her missions, the Special Rapporteur also met individuals working for the Persian Service of the British Broadcasting Corporation. They described how they and their families in the Islamic Republic of Iran had been harassed by the authorities, and threatened if they continued to work for the Service. Some were arbitrarily arrested, detained, and subjected to travel bans. In August 2017, a court in Tehran issued an injunction banning 152 members of staff, former employees, and contributors from carrying out financial transactions in the country on account of "conspiracy against national security". Until the time of writing, the injunction has not been lifted and harassment has continued. The Special Rapporteur was disturbed after hearing the accounts of the staff members, observing that many preferred to talk individually and in strict privacy. It has been also reported that some

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[31] See https://persian.iranhumanrights.org/1396/03/seven-million-websites-blocked.

[32] See https://ooni.torproject.org/post/iran-internet-censorship/.

[33] The Policies and Actions Regarding Organising Social Media Messaging Applications pursuant to SCC regulation published on 7 August 2017.

[34] See www.iranhumanrights.org/2017/11/irans-requirement-for-internet-users-to-verify-their-identity-would-further-erode-privacy-rights/.

[35] See www.iranhumanrights.org/2017/11/iran-telecommunications-minister-says-hes-looking-into-lifting-the-state-ban-on-twitter/.

[36] See http://president.ir/en/102083.

[37] See www.rsf-persan.org/article17644.html.

[38] "Citizen-journalists increasingly spied on, hounded in Iran", Reporters Without Boarders: https://rsf.org/en/news/citizen-journalists-increasingly-spied-hounded-iran.

[39] See https://rsf.org/en/news/how-iran-tries-control-news-coverage-foreign-based-journalists.

[40] Communication IRN 10/2017 available at https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=23052.

[41] Government reply dated 26 July 2017 available at https://spcommreports.ohchr.org/TMResultsBase/DownLoadFile?gId=64436.

staff members have been photographed while in London to impress upon their families that their relative was being watched. The level of fear that Iranians have whether inside the country or outside of it can be illustrated by the fact that the staff members have endured such intimidation for over twelve months. In October 2017, special procedure mandate holders issued a statement calling upon the Islamic Republic of Iran to cease all legal action against the staff and their families, and to cease the use of repressive legislation against independent journalism.[42]

35. In the course of her missions, the Special Rapporteur also obtained further information on the situation of Ayatollah Hossein Boroujerdi, a cleric arrested in 2006 for his advocacy of the separation of religion and state. His situation has been highlighted on previous occasions, and represents an emblematic case of repression against individuals exercising their freedom of opinion and expression.[43] He was imprisoned for eleven years in harsh conditions, amidst reports of torture and other ill treatment, prolonged solitary confinement, without adequate access to a lawyer or medical services. The Government denied these allegations. Following the subsequent deterioration of his health he was granted medical leave in 2017, but shortly thereafter placed under house arrest. He is in need of continued and urgent medical services, which are difficult to obtain for fear of reprisals and confiscation of documents. He continues to be subjected to harassment. In October 2017, the congregation at a funeral he was allowed to attend was attacked, and in November 2017, his home was looted.

36. The Special Rapporteur urges the Government to ensure the effective protection of the rights to freedom of opinion and expression and to immediately release or lift the restrictions placed upon all those who have been imprisoned for exercising such rights.

D. Freedom of association and assembly

37. The Special Rapporteur continues to receive reports of restrictions placed upon the freedoms of association and assembly. Human rights defenders, lawyers, students, and trade unionists have also faced restrictions and have been imprisoned for breaching national security laws.

1. Trade unions

38. The Special Rapporteur recalls the ongoing restrictions placed on the right to freedom of association on independent trade unions. The Labour Code only permits workers' representation through an Islamic Labour Council (membership of which is vetted) or a trade association. Strikes have also been subject to repression.[44] In its previously provided responses, the Government indicated that the Constitution and labour law provides for the right to form associations, and that holding gatherings or legal protests is not considered an action against national security.

39. The Special Rapporteur also continues to receive reports of the intimidation and arrest of labour union leaders. In this regard she has previously reported on the conviction and imprisonment of teachers, bus drivers, and general worker unions, on the basis of charges relating to, inter alia, national security, propaganda, and disrupting public order and peace.[45]

40. The Special Rapporteur is particularly concerned about the situation of Reza Shahabi, a board member of the Union of Workers of the Teheran and Suburbs Bus Company who is currently held in Rajaee Shahr Prison who according to a statement published by the Union was denied medical treatment after a stroke, and is in need of medical attention.[46] He was sentenced to six years in prison in 2010 after being convicted of propaganda against the state and assembly and collusion against national security amidst concerns previously raised including by the former Special Rapporteur for his health. In 2014, he was granted medical

[42] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22314&LangID=E.

[43] See for example A/HRC/14/19, para. 27 and A/HRC/25/61, para. 35.

[44] See www.amnesty.nl/actueel/iran-release-imprisoned-trade-unionists-and-uphold-workers-rights.

[45] See for example A/72/322, paras. 40-42.

[46] See https://vahedsyndica.com/archive/3045.

leave but then informed in 2017 that he would have to serve further time of his remaining sentence and for his alleged role in a confrontation between guards and prisoners in 2014.[47]

2. Human rights defenders and prisoners of conscience

41. A recent opinion rendered by the Working Group on Arbitrary Detention makes reference to the reports in which the Iranian authorities use vaguely worded and overly broad national security-related charges to criminalize peaceful or legitimate activities in defence of human rights, and as such contravened the principle of legality and allow for arbitrary application.[48] The Special Rapporteur fully supports the apprehensions expressed by the Working Group on Arbitrary Detention, and reiterates her concern for the situation of a number of human rights defenders and prisoners of conscience currently imprisoned.

42. Student activist Arash Sadeghi is in a critical condition because of his prolonged hunger strike and denial of medical assistance.[49] He was convicted in 2016 and sentenced to 15-years imprisonment following previous arrests.[50] He was transferred from Evin prison in Tehran to Rajaee Shahr Prison in October 2017.

43. Soheil Arabi also remains imprisoned following his conviction in 2014 for statements made on Facebook.[51] There are concerns for his health and he is reportedly in pain following his hunger strike and after being beaten during an interrogation amidst reports of inadequate access to medical care, medicine, and warm clothes.

44. Atena Daemi, an imprisoned child rights defender and prisoner of conscience was subject to new charges in October 2017 relating to statements that she allegedly made. The Special Rapporteur has received reports that she is in need of medical attention. In previously provided comments, the Government indicated that her sentence had been reduced on compassionate grounds.

45. The Special Rapporteur is also concerned about the situation of prominent human rights defender Narges Mohammadi, who was arbitrarily detained and is serving a 16-year prison sentence for campaigning against the death penalty.[52] Despite calls by members of Parliament to free her,[53] she remains imprisoned with limited access to her family. Her situation has been raised consistently by special procedure mandate holders.[54] In April 2017, the Supreme Court rejected her request for judicial review. In September the Working Group on Arbitrary Detention called for her release from arbitrary detention, including in view of her health situation.[55] The Working Group stated that it was convinced that her arrest was directed against her as a human rights defender and a leader of a human rights organization in the country. Almost every Iranian activist that the Special Rapporteur met noted that Narges Mohammadi has earned enormous respect for her commitment to human rights.

46. The Special Rapporteur is also concerned for the welfare of Abdolfattah Soltani, a human rights lawyer, who was arrested and imprisoned in 2011. He is in need of continued medical attention, which has reportedly been afforded, and is eligible for early release having served six years of his 10-year sentence.

47. The situation of Mohammad Ali Taheri, the founder of a spiritual movement, writer and practitioner of alternative medicine theories, who was sentenced to death, is also of concern. His trial took place amidst serious due process concerns, and a number of his followers were arrested and reportedly coerced into giving confessions. His appeal was heard

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[47] See www.iranhumanrights.org/2017/12/irans-judiciary-should-free-labor-activist-reza-shahabi-who-suffered-stroke/.

[48] Ibid.

[49] His situation was also highlighted in a previous report of the Special Rapporteur, see para. 56, A/HRC/34/65.

[50] A/HRC/28/70, para. 31.

[51] See www.hrw.org/news/2014/12/02/iran-death-sentence-facebook-posts.

[52] See A/HRC/34/65, paras. 53-55.

[53] See www.isna.ir/news/95072514536/.

[54] See for example www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=19998&LangID=E.

[55] A/HRC/WGAD/2017/48.

before the Supreme Court, which overturned the death penalty sentence,[56] and reportedly remanded the case back to the trial court. However, no written or formal decision is available. It is understood that the verdict would only be made available to a lawyer who is approved by the head of the judiciary, and that he was told to appoint an approved lawyer. The Special Rapporteur reiterates the call made by the High Commissioner for Human Rights for the withdrawal of charges against him and his release.[57]

48. The Special Rapporteur remains concerned that the allegations against many of the aforementioned individuals appear to relate to their legitimate exercise of their rights to freedom of opinion, expression, and assembly. Such charges have a chilling impact on the population as a whole, instil fear, and create an environment in which rights can neither be promoted nor assured, least of all respected. She urges the Government to take all necessary steps to urgently reform and revise their policies, action and laws, which are being repressively applied with impunity against those that are simply struggling to uphold the values of human rights.

49. In the course of her missions, the Special Rapporteur also heard first-hand accounts of reprisals, mainly by the judiciary, directed against individuals or their families with a view to exerting pressure and curtailing their activism. The extreme fear exhibited by individuals who were interviewed also emanated from ongoing surveillance of activities both online and by affiliates of the Islamic Revolutionary Guard Corps. In one case, a student activist from a minority community explained that his family had been put under constant pressure and regularly interrogated. Interviewees also described other forms of pressure including removal of employment, confiscation of passports, and arrests without charges.

3. Former presidential candidates

50. At the time of drafting the present report, former presidential candidates, Mssrs. Hossein Mousavi and Mehdi Karroubi, and Mr. Mosavi's wife Zahra Rahnavard, were still under house arrest in the absence of charges or a trial despite assurances by President Rouhani in 2013 and on subsequent occasions that they would be released. They have been deprived of their liberty since 2011. In 2012, the Working Group on Arbitrary Detention rendered an opinion that their deprivation of liberty was arbitrary and called for the restrictions placed upon them to be lifted.[58] The Special Rapporteur is particularly concerned by reports which give rise to concerns for the health of all three individuals.[59] She reiterates calls by the Secretary-General[60] and special procedure mandate holders[61] to the Government to release them as well as to release of all political opponents jailed in the lead up to the elections.

E. Situation of dual and foreign nationals

51. In an opinion rendered in August 2017, the Working Group on Arbitrary Detention noted a pattern in the way that those affiliated with different pro-democracy institutions of the West – especially those with dual nationality – are treated in the Islamic Republic of Iran.[62] The Working Group pointed to findings of arbitrary detention with respect to several cases[63] involving dual nationals, noting the "emerging pattern involving the arbitrary deprivation of liberty of dual nationals in Iran".

52. In December 2017, the Special Rapporteur issued a joint statement with other special procedure mandate holders calling for the annulment of the death sentence against Ahmadreza Djalali and his release.[64] Dr. Djalali is an Iranian national and resident of Sweden.

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[56] See www.iranhumanrights.org/2017/12/judge-demands-political-prisoner-mohammad-ali-taheri-pick-lawyer-from-judiciarys-list/.

[57] See http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16292&LangID=E.

[58] A/HRC/WGAD/2012/30.

[59] See https://rsf.org/en/news/mehdi-karoubi-hospitalized-sixth-time-six-years-house-arrest.

[60] A/72/562, para. 44.

[61] See http://www.un.org/apps/news/story.asp?NewsID=45030#.WkO8dlWnEkJ.

[62] A/HRC/WGAD/2017/49.

[63] See, for example, opinions No. 7/2017, No. 28/2016, No. 44/2015 and No. 18/2013.

[64] See http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22556&LangID=E.

He is a medical doctor, lecturer and researcher in disaster medicine who was arrested in April 2016 and sentenced to death in October 2017 amidst reports of serious due process failings, including incommunicado detention, denial of access to a lawyer and forced confession. It is understood that the Supreme Court subsequently reaffirmed his death sentence in December without according Dr. Djalali with a meaningful opportunity to appeal his conviction. In the same month, Iranian State television aired a video of his apparent "confession". Dr. Djalali has explained he had been coerced.[65] In their statement, special procedure mandate holders deplored the airing of the video in light of the allegations of coercion and further highlighted the opinion rendered by the Working Group on Arbitrary Detention in November 2017 which found that the deprivation of liberty of Dr. Djalali to be arbitrary, and called for his release.[66]

53. The Special Rapporteur also remains concerned about the situation of Siamak and Baquer Namazi, who hold dual Iranian-American citizenship. Both were sentenced to ten years in prison on the charges of "collusion with an enemy State" in October 2016, and their sentences were confirmed in August 2017. In the same month, the Working Group on Arbitrary Detention rendered an opinion that their deprivation of liberty was arbitrary, and called for their release. The Working Group further considered that they were targeted on the basis of their "national or social origin" as dual nationals,[67] and expressed grave concern about their deteriorating health, and the allegations that Baquer Namazi had not been provided with adequate medical care.

54. The situation of Nazanin Zaghari-Ratcliffe, an Iranian-British dual national imprisoned since April 2016, was addressed by the Working Group on Arbitrary Detention which called for her release,[68] and highlighted most recently by a number of special procedure mandate holders in October 2017,[69] following reports that she may face new charges which carried additional years of imprisonment upon conviction. The Special Rapporteur notes the conflicting statements issued as to whether new charges will be pursued, and reiterates the call for her release amidst ongoing concerns for her welfare.

55. The Special Rapporteur is also worried by reports about the deteriorating health situation of Nizar Ahmed Zakka, an information and communications technology consultant. He travelled to Tehran in 2015 to participate in a conference on women in development. He was arrested prior and denied access to a lawyer for a number of months. In 2016 he was sentenced to 10 years imprisonment and a fine, prompting concerns expressed by special procedure mandate holders that his arrest may be related to his exercise of the right to freedom of peaceful assembly. Information received indicates he is in urgent need of appropriate medical care and examination.

56. Xiye Wang, a student, was arrested in 2016 and charged and sentenced in 2017 to ten years in prison, after a period of time marked by incommunicado detention, solitary confinement, and interrogation without the presence of a lawyer. He has been imprisoned amidst very difficult conditions and subjected to assaults in prison, which have contributed to a severe decline in his health, amidst limited access to medical care despite multiple requests. In December 2017, he was transferred to a ward with worse conditions, and a State television channel aired an apparent "confession", which is understood to have been coerced.

57. In addition to the above-mentioned cases, other dual nationals, including Sabiri Hassanpour and Kamel Foroughi, remain imprisoned in the Islamic Republic of Iran with estimates suggesting at least 30 dual nationals have been imprisoned since 2015.[70] The Special Rapporteur urges the Islamic Republic of Iran to address the concerns highlighted in the context of detained dual and foreign nationals in the country, which represent an ongoing pattern of deep concern and emblematic examples of due process failings. This is supported by the fact that the cases that are brought to the attention of the Special Rapporteur are

[65] See www.bbc.com/persian/iran-42420138.
[66] A/HRC/WGAD/2017/92.
[67] A/HRC/WGAD/2017/49.
[68] A/HRC/WGAD/2016/28.
[69] See http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=22267&LangID=E.
[70] See www.reuters.com/article/us-iran-arrests/exclusive-irans-revolutionary-guards-arrest-more-dual-nationals-idUSKBN1D90TB.

commonly related to the mere suspicion of anti-State activities with no detailed charge sheets made available nor any victim specified in any of the offences.

F. Right to a fair trial

58. In many of the cases described in the present report, and on the basis of the consistent reports which continue to be received, the Special Rapporteur is struck by the pattern of reported violations related to due process and fair trial in the Islamic Republic of Iran in particular with respect to human rights defenders, trade unionists, journalists, political prisoners and prisoners of conscience, and members of opposition, minority and religious groups, foreign and dual nationals.

59. The pattern is often characterised by an arbitrary arrest; prolonged solitary confinement; interrogation; denial of access to a lawyer of choice, in particular during the investigative phase; short trials after which the verdict is rarely published or provided in written form; and the issuance of long prison or death penalty sentences based on charges related to espionage or national security. In many cases, such patterns occur within the context of revolutionary courts, which are reported to be responsible for the majority of death sentences on the basis of available data.[71] In a number of cases, the prosecution case has rested upon confessions extracted through reported psychological coercion or torture or other ill treatment,[72] with no investigation carried out after such allegations have been made.

60. In the course of her missions, individuals that the Special Rapporteur met described similar patterns. A number also described how defendants had been put under extreme pressure by judges to change their lawyers. It is further recalled that defendants accused of national security, political, capital, or press crimes, and those accused of such offences that carry life sentences are obligated to select legal counsel from an official pool of lawyers chosen by the head of the judiciary during the pre-trial stage.[73] In 2015, the Bar Association reportedly called for this to be reconsidered, however the Special Rapporteur regretfully notes that no changes have been made. In previously provided responses, the Government has maintained that the Revolutionary Courts are no different from other courts; trials are conducted in accordance with the law, with all rights of the accused guaranteed; and that verdicts must be well reasoned out and documented.

61. Further underpinning the concerns outlined, the Special Rapporteur continued to receive information concerning the ongoing harassment of lawyers and judges. In one case reported to the Special Rapporteur, a lawyer was beaten and detained for being late to a court session. The Special Rapporteur also heard accounts of lawyers being disbarred or rejected for membership to the bar association after having represented certain defendants. In previous responses the Government has indicated that according to the Constitution, the Judiciary is independent.

III. Women's rights

62. The Special Rapporteur has noted some developments related to the rights and participation of women. In August 2017, President Rouhani signed an executive order on selection criteria for professional executive level staff that increased the number of women and youth in managerial positions, with a view to increasing the percentage of female managers in the executive branch to 30 per cent.[74] In 2017, the Government appointed a woman as Deputy Minister of Petroleum and appointed its first woman Ambassador. The Government further recently informed of the lifting of restrictions placed upon female teachers to be able to work when pregnant.

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[71] See https://iranhr.net/en/articles/2839/.

[72] Courts can issue death sentences on the sole basis of confessions in accordance with Article 171 of the New Islamic Penal Code of the Islamic Republic of Iran.

[73] Art. 48 of the Criminal Procedure Code (2015).

[74] See https://goo.gl/RrhVmW.

63. The above notwithstanding, the Special Rapporteur notes that discrimination against women in the job market continues. Civil law in the Islamic Republic of Iran codifies discrimination in the Islamic Republic of Iran, barring women from working in certain professions except those deemed "mentally and physically suitable for women".[75] It further allows husbands to prevent their spouses from working in particular occupations under certain circumstances.[76] In previously provided comments, the Government noted that women can also prevent their husbands from having a job which is contrary to their family's prestige. It noted that disregard of this constitutes among the conditions based on which a wife can apply for divorce, and that a woman's right to have a job can be added to the terms of a marriage contract, thus legally guaranteeing the right.

64. The situation does not improve when it concerns personal status. Women do not have equal rights to men in marriage, divorce, child custody, or inheritance. Husbands have an incontestable right to divorce. Married women cannot obtain a passport without permission from their husband.[77] Women in the Islamic Republic of Iran remain unable to pass on their citizenship to their children.[78] It is understood a new draft bill is pending before Parliament to address this longstanding concern after various historic legislative efforts in this regard.

65. During her missions, the Special Rapporteur received further information concerning the ongoing prevalence of child marriage in the country despite the consistent recommendations to address the situation by the international human rights mechanisms, including the Committee on the Rights on the Child in 2016. At present, girls can be married as young as nine with the permission of the court. The United Nations Children's Fund (UNICEF) reported that approximately 40,000 children under the age of 15 years are married annually and that approximately 17 per cent of girls are married before the age of 18.[79] The number is likely to be higher, as thousands of underage marriages are not registered.[80] The Special Rapporteur reiterates that child marriage constitutes a threat to physical and mental integrity of the child in contravention of the fundamental rights guaranteed by the Convention on the Rights of the Child. It also presumes that the child had no say on the decision of their marriage.

66. Concerns in other areas also persist. Adultery (covered by the offence of *zina*) remains criminalised, with punishments ranging from lashing to stoning to death. The Special Rapporteur joins with the Working Group on the issue of discrimination against women in law and in practice in calling for such provisions providing for punishments such as fines, imprisonment, and death sentences to be repealed, and in noting that such provisions means in practice that women will face violation of their human rights to dignity, privacy, and equality as a result.[81] The law can also penalizes a victim of rape if the court decides and the perpetrator insists that the act was a consensual one. The law can particularly operate adversely against victims of rape especially if they are not married.

67. Repressive and discriminatory rules concerning the dress code for women and girls continue to be enforced. Women who do not wear a *hijab* that conforms to the interpretation of modesty can be sentenced up to two months in prison or be fined. Women who have publically supported an online campaign against compulsory veiling "My Stealth Freedom" have also been harassed, taken in for questioning, and requested to sign attestations that they will not go out without a "proper" *hijab*.

68. The Special Rapporteur understands that Parliament had started debating the possibility to amend Article 18 of the Passport Law, which obliges women to obtain the authorization of their husband or "male guardian" before travelling abroad. A draft bill was

[75] Article 5, Employment Policies for Women in the Islamic Republic of Iran, Supreme Council of the Cultural Revolution, 1992.

[76] Article 1117 of the Civil Code.

[77] See www.iranhrdc.org/english/human-rights-documents/iranian-codes/3200-islamic-penal-code-of-the-islamic-republic-of-iran-book-one-and-book-two.html#5.

[78] See http://rc.majlis.ir/fa/law/show/97937.

[79] See https://www.girlsnotbrides.org/child-marriage/iran/.

[80] See https://goo.gl/aRzMXa.

[81] See http://www.un.org/apps/news/story.asp?NewsID=43322#.WkJ_A1WnGDI.

submitted to Parliament in July, but after facing opposition a working group has now been established to discuss it further within the cultural committee of Parliament.[82] The Special Rapporteur urges the Parliament to adopt the bill to address this longstanding restriction on women's right to freedom of movement and to ensure that it is compliant with international human rights standards.

IV. Ethnic and religious minority rights

69. The Special Rapporteur remains concerned by reports of persistent discrimination and human rights violations of ethnic and religious minorities, in particular following her meetings with numerous representatives and members of various minority groups during her missions. A number of interlocutors described the negative impact of restrictions placed upon speaking their own language in schools in contravention of Article 15 of the Constitution; the repression of those who promote the use of their mother tongue; the low acceptance of their communities to universities; and the low level of representation in the public affairs of the nation, including in light of de facto restrictions placed upon their ability to take up senior Government posts.

1. Yarsan community

70. The Special Rapporteur met with members of the Yarsan community who described the discrimination and repression that they are subjected to due to their belief. They explained that they were unable to register their children as Yarsan at birth. They described being prohibited from constructing places of worship, cannot organise burials in accordance with their religion, and cannot print their holy book without fear of being charged with acting against the regime or insulting the Prophet. In February 2016, a Yarsan place of worship in Shah Aba was attacked. The Special Rapporteur also received a number of reports concerning discrimination of Yarsan members in the workplace, including in light of the Employment Act, which requires individuals to be Muslim or a member of a recognised religion. Representatives also provided accounts of individuals being fired after it is discovered that they are Yarsan, and of individuals of being forcibly shaved (the moustache is a holy symbol for the Yarsan community) when they refused to pray, for example when undertaking military service. Details were also provided of the imprisonment and in one case execution of individuals who refused to be shaved. Whilst their situation was noted in a previous report of the former Special Rapporteur,[83] it is clear given the discrete nature of the community that knowledge of the violations they are subjected to remains limited.

2. Baha'i community

71. The Special Rapporteur has also met with numerous individuals of the Baha'i faith who provided accounts which were consistent with the ongoing reports received of systematic discrimination, harassment, and targeting of the community which the Special Rapporteur highlighted in a press release in 2016[84] and in previous reports.[85] Interlocutors interviewed described a variety of violations that they had been subjected to including the closure of shops; the firebombing of homes; arbitrary arrest; torture and other ill treatment whilst in detention; and discrimination whilst studying at university. According to information received, there are currently at least 77 Baha'i individuals imprisoned.[86]

3. Kurdish community

72. The Special Rapporteur is also deeply concerned by reports of individuals from the Kurdish community having been persecuted, arrested, and sentenced to death for their political affiliation or beliefs. According to information received, as of 31 October 2017, 1,828 Kurds had been detained by the authorities on charges related to various activities such as environmental activism, eating in public during the month of Ramadan, working as border

[82] See www.sharghdaily.ir/News/143031/.
[83] See A/HRC/22/56, para. 67 and A/HRC/34/65, para. 78.
[84] See http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=20073&LangID=E.
[85] See for example A/HRC/34/65 section IV.
[86] See annex prepared on the basis of information received by the Special Rapporteur.

couriers engaged in smuggling illicit goods, or for celebrating the results of the referendum held in neighbouring Iraqi Kurdistan. Information received indicates that 114 of these detainees were charged with political or security-related crimes, often for engaging in civic activism or because of their membership in Kurdish political parties. Some face long prison sentences, lashes and/or heavy financial penalties. Among these prisoners, there are individuals who are workers, teachers, *kulbars* (border couriers), artists, and human rights activists. In 2017, information received indicates that at least 64 Kurdish prisoners were executed by the authorities, and at least 16 Kurdish political prisoners were reportedly subjected to torture or ill-treatment, with 31 going on hunger strikes to protest the circumstances surrounding their arrest and detention. 15 were denied basic rights such as visitation by their family members, and 15 others were deprived of adequate medical care.

73. The health situation of Zeynab Jalalian in this regard is of continuing concern. She has been on medicinal strike since February 2017 to protest the lack of adequate medical care afforded to her. She is serving a life sentence following her arrest in 2007 for alleged membership of a prohibited group.

4. Sistan and Balochistan province

74. Sistan and Balochistan province is predominantly inhabited by ethnic, racial, and religious minority populations. Reportedly more than 80 per cent of the province's citizens are of Baloch ethnic background and adhere to the Sunni faith.[87] There are no official statistics on the number of Baloch citizens without proof of citizenship but based on available data number over 20,000.[88] Many do not have official proof of citizenship and therefore face multiple challenges including exclusion of access to state social assistance including welfare payments, health care, and education.[89] Additionally, they face challenges in obtaining utilities such as water, electricity and phone service,[90] and are at risk of statelessness.[91] In 2013, officials ordered an expedited process for cases in which birth certificates of applicants likely be Iranian would be issued. This resulted in the issuance 24,000 birth certificates. Many cases remain unaddressed due to challenges faced by Baloch families in accessing the needed documentation.[92] In a positive development, the Cabinet of Ministers requested the Ministry of Education to issue a special card for children without birth certificates so they could attend school. According to the officials, over 20,000 such children registered for school in the province and 19,000 were allowed to attend.[93]

V. Rights of lesbian, gay, bisexual, transgender and intersex persons

75. Since the issuance of her last report, the Special Rapporteur has received reports, including in the course of her missions, of the continued discrimination, harassment, arbitrary arrest and detention, punishment, and denial of rights of lesbian, gay, bisexual, and transgender (LGBT) and intersex persons in line with the concerns raised by her predecessor in 2013.[94] Such concerns were persistently documented by human rights groups in previous years.[95]

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[87] See www.balochcampaign.info/wp-content/uploads/2017/10/gozaresh-6-mahe-96.pdf.

[88] See www.salamatnews.com/news/228675/23.

[89] Ibid.

[90] Ibid.

[91] See http://www.irna.ir/fa/News/82431374.

[92] Ibid.

[93] See http://www.salamatnews.com/news/228675/23.

[94] A/HRC/22/56, paras. 68-70.

[95] See for example Being Lesbian In Iran, OutRight Action International, 2016 available at www.outrightinternational.org/sites/default/files/OutRightLesbianReport.pdf and Being Transgender in Iran - OutRight Action International, 2016 available at www.outrightinternational.org/sites/default/files/OutRightTransReport.pdf and We are a Buried Generation: Discrimination and Violence Against Sexual Minorities in Iran, Human Rights Watch, 2010, available at www.hrw.org/sites/default/files/reports/iran1210webwcover_0.pdf.

76. The Islamic Penal Code criminalizes same-sex relations between consenting adults, and the country remains one of a handful that imposes the death sentence penalty as a punishment, under certain circumstances.[96] People who engage in acts of affection between members of the same sex can be subjected to punishments, which include lashing. In 2016, the Committee on the Rights of the Child expressed concern at reports that children identifying as LGBT and intersex has been "subjected to electric shocks and the administration of hormones and strong psychoactive medications for the purpose of "curing' them",[97] and urged the Government to hold those responsible for such acts accountable.[98]

77. The Special Rapporteur recalls that international law is clear in affording the protection of human rights of all people, including LGBT and intersex persons. The reported treatment of these individuals violates their rights to liberty, fair trial, integrity, privacy, dignity, equality before the law, non-discrimination and the absolute prohibition on torture and other cruel, inhuman and degrading treatment and punishment, as enshrined in international law.

VI. Conclusion and recommendations

78. The Special Rapporteur welcomes the continued engagement by the Government with her mandate through meetings and written exchanges. The Special Rapporteur further notes some developments including the adoption of amendments to drug-trafficking laws, and the follow-up on the Charter on Citizen's Rights. In particular, the Special Rapporteur noted the positive step taken to grant Baloch citizens with nationality cards and to afford access to education to children in the province. Such developments have taken place amidst ongoing severe reports of the denial of human rights in a number of fundamental areas. As such, small gains are lost in an overall atmosphere where the State denies even very basic rights to its population. The Special Rapporteur urges the Government to demonstrate the political will to end the impunity of agents of the State who perpetrate violations of the human rights of individuals in the country.

79. The Special Rapporteur hopes that the Islamic Republic of Iran will build on the developments documented in this report, and translate them into improvements on the ground. In this regard, and in the spirit of sustained cooperation and dialogue, the Special Rapporteur once more expresses her readiness to visit the country upon the invitation of the Government. The Special Rapporteur believes that such a visit would be important, particularly in light of the information received and interviews conducted in preparation of this report which reflects continued serious concerns about the human rights situation in the country.

80. The Special Rapporteur accordingly calls upon the Government to ensure prompt, thorough, and effective investigations by independent and impartial bodies of allegations of violations documented, and that those responsible are held accountable. The Government could further consider the use of modern technology to monitor detention centres to deter the torture and other ill-treatment of those detained, interrogated or imprisoned, whilst ensuring that such monitoring is conducted in line with international human rights standards.

81. In connection with the recent protests, the Special Rapporteur urges the Government to promptly report to the families the name, location, and other relevant information of all individuals taken into custody, and to carry out prompt, independent and effective investigations into the authorities' response to the protests and the circumstances of the deaths in custody of those arrested, with a view to holding the perpetrators of any violations committed accountable.

[96] Articles 233-241 of the Islamic Penal Code.
[97] CRC/C/IRN/CO/3-4, para. 53.
[98] Ibid., para. 54.

82. The Special Rapporteur remains troubled by the continuing large number of executions, including of juvenile offenders, and reiterates her call on the Government to introduce a moratorium on the use of the death penalty and to prohibit and refrain from the execution of juvenile offenders in all circumstances. The Special Rapporteur further urges the Government to undertake a special review of the cases of persons on death row for crimes committed when they were under the age of 18, with a view to commuting or quashing their death sentences altogether.

83. Pursuant with commitments made during the special session on the world drug problem, and in order to fully implement the new amendments to the 1998 drug trafficking law, the Government should establish a clear and transparent procedure for reviewing the cases of individuals who have been sentenced to death under the previous drug trafficking law. Such a process should be transparent, accessible, and follow due process and fair trial guarantees, including effective representation of defendants.

84. The Government of the Islamic Republic of Iran should also ensure that all those sentenced to death can exercise their right to equal access to justice through adequate legal representation, which is an essential component of due process at any stage in criminal proceedings, including the appeal and review process. Adequate and qualified legal representation at the review stage through effective legal aid programmes should be ensured.

85. The Special Rapporteur reiterates her call upon the Government to undertake thorough and independent investigation into the 1988 massacres, and further ensure that locations believed to be the site of mass graves are persevered and protected to this end.

86. The Special Rapporteur recalls that the right to be free from torture or other cruel, inhuman or degrading treatment or punishment can never be limited or interfered with, and urges the Government to abolish all provisions that authorize such punishments such as flogging and amputation.

87. The Special Rapporteur urges the Government to investigate and address allegations of physical and psychological torture and other ill treatment in detention, and to prevent their reoccurrence, including through ensuring accountability of the perpetrators. International organizations should be permitted regular, unhindered and without-notice access to all places of detention.

88. The Special Rapporteur notes with grave concern a pattern of denial of medical treatment to certain categories of detainees, especially prisoners of conscience, political prisoners, and human rights defenders, and urges the Government to investigate, address, and remedy such allegations, in light of the imminent threat to life in many circumstances.

89. The Special Rapporteur further urges the Government, in line with its international obligations, to guarantee the freedom of the press and media, and immediately release all detainees who have been imprisoned for exercising their right to freedom of opinion, expression and unobstructed peaceful assembly. The Special Rapporteur further urges the Government to amend or rescind laws, policies and parliamentary measures that contravene freedom of expression and that restrict access to information, including online information.

90. The Special Rapporteur further reiterates her call upon the Government to release all political prisoners and prisoners of conscience including those whose situation has been reflected in current and previous reports and communications, and all individuals identified as arbitrarily detained by the Working Group on Arbitrary Detention.

91. The Special Rapporteur continues to receive reports of reprisals, in particular of individuals sharing information or publically reporting on the situation of human rights in the country. The Government should take strict measures to ensure protection against reprisals against of such individuals and their families. Individuals or State entities that engage in such acts should be identified and held accountable to prevent a recurrence of such violations.

92. The Special Rapporteur is also deeply concerned by the ongoing, numerous, and consistent reports received of due process violations, including but not limited to the use of prolonged solitary confinement and significant limitations placed upon the ability of the accused to access a lawyer. In particular she calls upon the Government to strictly limit the use of solitary confinement and ensure full access to their choice of lawyer. She further reiterates her recommendation to abolish the revolutionary tribunals and religious courts in line with the recommendations made by the Working Group on Arbitrary Detention following its visit to the country. [99]

93. The Special Rapporteur also reiterates her call upon the Government to ensure that the judiciary is free from interference of any kind and to uphold the integrity of judges, prosecutors and lawyers, through transparent and merit-based appointments, and through protecting them and their families and professional associates against all forms of reprisals as a result of discharging their functions. The judiciary should also be held accountable for ensuring that proceedings are conducted fairly and that the rights of the parties are respected, through a mechanism that is consistent with the Basic Principles on the Independence of the Judiciary.

94. The Special Rapporteur further notes that an independent bar association is vital to the promotion to the rule of law. All executive and judicial interference in management and working of bar associations should be removed and the bar association should be made an autonomous and self- regulatory body.

95. The Special Rapporteur further calls on the Government to ratify the Convention on the Elimination of All Forms of Discrimination against Women and to amend laws that violate the rights of women, including the rights to freedom of movement and work and the right to be free from discrimination, especially in the workplace and in the hiring process. She urges the Islamic Republic of Iran to protect children born within its jurisdiction by facilitating the ability of women to pass on their citizenship to their sons and daughters, and to amend laws and regulations, including on dress code that infringe upon the rights of women and undermines their dignity. In the light of the high rates of child marriage, which is never in the best interest of the child, the Special Rapporteur reiterates her call upon the Government to take steps to ensure that the minimum age for marriage complies with international standards.

96. The Special Rapporteur also calls upon the Government to respect the right to freedom of religion and belief, to address all forms of discrimination in all spheres of life, to uphold and implement legislation that protects minority groups and individuals, and to ensure the release of all individuals imprisoned on the basis of their religion, belief or identity.

97. The Special Rapporteur calls on the Government to ensure the protection of the rights of LGBT and intersex individuals by repealing laws that punish people based on their sexual orientation and gender identity, and enacting effective anti-discrimination laws, and to ban forced and involuntary treatment and medical procedures.

[99] E/CN.4/2004/3/Add.2, para. 65.

Annex

List of Baha'i prisoners in the Islamic Republic of Iran

Name	*Arrest date*	*Location of arrest / City of residence*	*Date of trial / Court order issued*	*Sentence*	*Charges*	*Date of release*
Mr. Jamaloddin Khanjani	25-Sep-07	Isfahan (Isfahan)	Trial ended 14-Jun-10	20 years' imprisonment	N/A	2-Oct-07
	14-May-08	Tehran (Tehran)	Trial ended 14-Jun-10	20 years' imprisonment	(1) Engaging in propaganda against the regime of the Islamic Republic of Iran; (2) espionage in support of the tyrannical, fabricated and occupying regime of Israel; (3) Forming and managing illegal groups and gatherings to for the purpose of disruption to the national security of Iran; (4) Collaboration with the tyrannical, fabricated, hostile and occupying regime of Israel against the Islamic Republic of Iran; (5) Conspiracy and assembly for the purpose of action against the internal and external security of Iran and to tarnish the reputation of the Islamic Republic of Iran in the international arena; (6) Participation in collecting classified documents and providing them to foreigners with the purpose of disruption to the national security	
Mr. Afif Naimi	14-May-08	Tehran (Tehran)	Trial ended 14-Jun-10	20 years' imprisonment	(1) Engaging in propaganda against the regime of the Islamic Republic of Iran; (2) espionage in support of the tyrannical, fabricated and occupying regime of Israel; (3) Forming and managing illegal groups and gatherings to for the purpose of disruption to the national security of Iran; (4) Collaboration with the tyrannical, fabricated, hostile and occupying regime of Israel against the Islamic Republic of Iran; (5) Conspiracy and assembly for the purpose of action against the internal and external security of Iran and to tarnish the reputation of the Islamic Republic of Iran in the international arena; (6) Participation in collecting classified documents and providing them to foreigners with the purpose of disruption to the national security	
Mr. Saeid Rezaie Tazangi	25-May-05	Shiraz (Fars)	Was not tried	Released on bail	N/A	29-Jun-05
	14-May-08	Tehran (Tehran)	Trial ended 14-Jun-10	20 years' imprisonment	(1) Engaging in propaganda against the regime of the Islamic Republic of Iran; (2) espionage in support of the tyrannical, fabricated and occupying regime of Israel; (3) Forming and managing	

Name	*Arrest date*	*Location of arrest/ City of residence*	*Date of trial/ Court order issued*	*Sentence*	*Charges*	*Date of release*
					illegal groups and gatherings to for the purpose of disruption to the national security of Iran; (4) Collaboration with the tyrannical, fabricated, hostile and occupying regime of Israel against the Islamic Republic of Iran; (5) Conspiracy and assembly for the purpose of action against the internal and external security of Iran and to tarnish the reputation of the Islamic Republic of Iran in the international arena; (6) Participation in collecting classified documents and providing them to foreigners with the purpose of disruption to the national security	
Mr. Vahid Tizfahm	14-May-08	Tehran (Tehran)	Trial ended 14-Jun-10	20 years' imprisonment	(1) Engaging in propaganda against the regime of the Islamic Republic of Iran; (2) espionage in support of the tyrannical, fabricated and occupying regime of Israel; (3) Forming and managing illegal groups and gatherings to for the purpose of disruption to the national security of Iran; (4) Collaboration with the tyrannical, fabricated, hostile and occupying regime of Israel against the Islamic Republic of Iran; (5) Conspiracy and assembly for the purpose of action against the internal and external security of Iran and to tarnish the reputation of the Islamic Republic of Iran in the international arena; (6) Participation in collecting classified documents and providing them to foreigners with the purpose of disruption to the national security	
Mr. Jalayer Vahdat	04-Aug-05	Mashhad	05-Apr-10	N/A	Activities against national security, propaganda against the regime and membership in the unlawful Baha'i administration	28-Aug-05
	26-Jan-09	Mashhad	May/Jun-10	5 years' imprisonment and 10-year ban on leaving the country	N/A	12-May-09

Name	*Arrest date*	*Location of arrest / City of residence*	*Date of trial / Court order issued*	*Sentence*	*Charges*	*Date of release*
	Started serving sentence 24-Oct-10	Mashhad	First court on 15/16-Aug-09. Then: 25-Oct-09 (sentence appealed)	5 years' imprisonment and 10-year ban on leaving the country was changed to 5 years' imprisonment	Teaching against the regime, taking action against national security, and illegal dissemination of CDs, teaching the Faith, and insulting religious sanctities	
Mr. Vesal Mahboubi	25-Apr-11	Sari (Mazandaran)	N/A	1-year sentence appealed	N/A	
Ms. Sanaz Tafazoli	27-Jun-11	Mashhad	N/A	N/A	N/A	
Mr. Hamid Eslami	14-Jul-12	Shiraz (Fars)	Unknown	N/A	Membership in illegal groups in opposition to regime, propaganda against the regime in the interest of groups in opposition to regime	
Mr. Navid Khanjani	2-Mar-10	Isfahan (Isfahan)	N/A	N/A	Collaboration with human rights activists	3-May-10
	22-Aug-12	Tabriz (East Azerbaijan)	Court of appeal upheld verdict 10-Aug-11	12 years' imprisonment + 5 million rial (~US$500) fine	Engaging in human rights activities, illegal assembly (in support of university students deprived of higher education), and disturbance of the general public's opinion	
Mr. Farhad Fahandej	17-Oct-12	Gorgan (Golestan)	N/A	10 years' imprisonment	Collaboration with hostile governments, disturbing national security, propaganda against the regime, formation of hostile groups	
Mr. Pooya Tebyanian	8-Mar-09	Semnan	Tried 15-Apr-09; Verdict issued 31-May-09; Appeal court verdict 29-Apr-10	18 months' imprisonment	Propaganda against the regime	May-11
	12-Mar-11	Semnan	Tried on 16-Apr-12; Appeals verdict issued 12-Aug-12	6.5 years' imprisonment	Propaganda against the regime of the Islamic Republic of Iran and membership in and organizing illegal groups and assemblies	

Name	*Arrest date*	*Location of arrest/ City of residence*	*Date of trial/ Court order issued*	*Sentence*	*Charges*	*Date of release*
Mr. Didar Raoufi	14-Jan-09	Tehran (Tehran)	11-Feb-11	N/A	N/A	11-Mar-09
	16-Oct-16	Tehran (Tehran)	11-Feb-11	N/A	N/A	
Mr. Adel Naimi	10-Jul-12	Tehran (Tehran)	Date tried: 24-Apr-13	Initially 11 years' imprisonment, changed to 10 years	Initially announced: (a) Activity against national security; (b) Espionage; (c) Participating in the clandestine organization of Bahaism. In court document: Organizing the Bahaist sect, teaching; holding [self-defence] spray; engaging in propaganda against the regime of the Islamic Republic of Iran	
Ms. Elham Farahani Naimi	10-Jul-12	Tehran	N/A	Released on bail	Propaganda against the regime and activity national security	8-Sep-12
	28-Apr-14 — Began serving sentence	Tehran	04-Feb-13	4 years' imprisonment (appealed sentence)	N/A	
Ms. Nika Kholousi	12-Oct-12	Mashhad	N/A	N/A	N/A	13-Apr-13
	1-Jul-13	Mashhad	6-May-13	6 years' imprisonment	N/A	
Mr. Farzin Sadri Dowlatabadi	19-Oct-13	Gorgan	N/A	N/A	N/A	
Mr. Shahab Dehghani	10-Jul-12	Tehran	N/A	N/A	N/A	N/A
	12-Jul-13	Tehran	N/A	4 years' imprisonment	Propaganda activities against the sacred regime of the Islamic Republic, teaching the perverse ideologies of Bahaism, and activities intended to mislead the youth. Activity against national security	
Ms. Nasim Bagheri	27-Apr-14		Court date: 8-Oct-13	4 years' imprisonment under ta'zir law	N/A	
Ms. Dori Amri	2-Jun-14	Mashhad	N/A	N/A	N/A	
Ms. May Kholousi	2-Jun-14	Mashhad	N/A	N/A	N/A	
Mr. Faramarz Lotfi	Sometime between	Tonekabon	N/A	N/A	N/A	N/A

Name	*Arrest date*	*Location of arrest City of residence*	*Date of trial Court order issued*	*Sentence*	*Charges*	*Date of release*
	24/27-Sept-13 — After a raid of his home, he was taken to an unknown place					
	Summoned to court to hear his decree on 3-Feb-15 and immediately transferred to prison	Tonekabon	3-Feb-15	N/A	Activities against the national security, and propaganda against the regime	
Mr. Ziaollah Ghaderi	Summoned to court to hear his decree on 3-Feb-15 and immediately transferred to prison	Tonekabon	3-Feb-15	Unknown	Activities against the national security, and propaganda against the regime	
Mr. Soroush Garshasbi	21-Nov-09	Tonekabon — Mazandaran	8-Jun-10	N/A	N/A	Sometime in Dec-09 —Precise date is unknown
	Began serving sentence on 3-Feb-15	Tonekabon	3-Feb-15	N/A	Activities against the national security, and propaganda against the regime	
Ms. Mona Mehrabi	16-Feb-15	Tehran	Unknown	Unknown	Unknown	
Ms. Elham Karampishch	Began serving sentence on [illegible]	Tehran		N/A	N/A	
Mrs. Safa Forghani	Began serving sentence on 16-Feb-15	Tehran	N/A	N/A	N/A	

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Name	*Arrest date*	*Location of arrest / City of residence*	*Date of trial / Court order issued*	*Sentence*	*Charges*	*Date of release*
[illegible]	[illegible] sentence on 17-Feb-15	[illegible]	N/A	[illegible]	N/A	
Mrs. Fariba Ashtari	31-Jul-12		Court hearing held for 20 Baha'is on 24-Aug-13 in Branch 1 of the Revolutionary Court in Yazd	3 years' imprisonment	Propaganda against the sacred regime of the Islamic Republic of Iran, and assembly and collusion against national security	After 27 days
	21-Feb-15 — Summoned to Yazd Central Prison om	Yazd	13-Apr-14 — Court of Appeals in Yazd	2 years' imprisonment under ta'zir law and 1 years' suspended imprisonment	Propaganda against the regime of the Islamic Republic [of Iran] and propaganda in support of groups or organizations opposing the Islamic Republic of Iran	
Mr. Naser Bagheri Ghalat	Began serving sentence on 27-Feb-15	Yazd	N/A	N/A	Propaganda against the regime	
Mr. Faez Bagheri Ghalat	Began serving sentence on 27-Feb-15	Yazd	N/A	N/A	Propaganda against the regime	
Ms. Laleh Mehdinezhad	10-Mar-15	Tehran	N/A	N/A	N/A	
Mr. Iman Rashidi Ezzabadi	31-Jul-12		Court hearing held for 20 Baha'is on 24-Aug-13 in Branch 1 of the Revolutionary Court in Yazd	4 years' imprisonment	Propaganda against the sacred regime of the Islamic Republic of Iran, and assembly and collusion against national security	Released after 27 days providing bail of 80 million toman

Name	*Arrest date*	*Location of arrest City of residence*	*Date of trial Court order issued*	*Sentence*	*Charges*	*Date of release*
	19-Mar-15 — Began imprisonment	Yazd	13-Apr-14 — Court of Appeals in Yazd	3 years' imprisonment under ta'zir law and 1 years' suspended imprisonment	Propaganda against the regime of the Islamic Republic [of Iran] and propaganda in support of groups or organizations opposing the Islamic Republic of Iran	
Mr. Mehran Eslami Amirabadi	1-Oct-12		Court hearing held for 20 Baha'is on 24-Aug-13 in Branch 1 of the Revolutionary Court in Yazd	2 years' imprisonment	Propaganda against the sacred regime of the Islamic Republic of Iran, and assembly and collusion against national security	6-Oct-12
	4-Apr-15 — began imprisonment	Yazd	13-Apr-14 — Court of Appeals in Yazd	1 years' imprisonment under ta'zir law and 1 years' suspended imprisonment	Propaganda against the regime of the Islamic Republic [of Iran] and propaganda in support of groups or organizations opposing the Islamic Republic of Iran	
Ms. Afsanih Yadigar	6-Apr-15	Tehran	N/A	N/A	N/A	N/A
Mr. Shahin Rashedi	7-Apr-15	Hamadan	Awaiting court trial	N/A	Propaganda against the regime	10-Apr-15
	May/Jun-15	Hamadan	Trial held on 5-Aug-15/ sentence announced on 15-Aug-15	1 years' imprisonment under ta'zir law	Propaganda against the regime	N/A
Mr. Hamid Azarnoush	13-Apr-15	Hamadan	N/A	N/A	Propaganda against the regime	N/A

Name	*Arrest date*	*Location of arrest/ City of residence*	*Date of trial/ Court order issued*	*Sentence*	*Charges*	*Date of release*
	May/Jun-15	Hamadan	Trial held on 5-Aug-15/ sentence announced on 15-Aug-15	1 years' imprisonment under ta'zir law and 2 years' exile to Khash	Propaganda against the regime	
Mr. Masoud Azarnoush	13-Apr-15	Hamadan	N/A	N/A	Charged for owning satellite dish	15-Apr-15
	May/Jun-15	Hamadan	Trial held on 5-Aug-15/ sentence announced on 15-Aug-15	1 years' imprisonment under ta'zir law and 2 years' exile to Khash	Propaganda against the regime	N/A
Mrs. Atefeh Zahedi (Azarnoush)	13-Apr-15	Hamadan	N/A	N/A	Propaganda against the regime	15-Apr-15
	May/Jun-15	Hamadan	Trial held on 5-Aug-15, sentence announced on 15-Aug-15	1 years' imprisonment under ta'zir law	Propaganda against the regime	
Ms. Mina Mobin Hemmati	13-Apr-15	Hamadan	N/A	N/A	Propaganda against the regime	15-Apr-15
	May/Jun-15	Hamadan	Trial held on 5-Aug-15/ sentence announced on 15-Aug-15	1 years' imprisonment under ta'zir law	Propaganda against the regime	
Mrs. Parvaneh Seifi (Ayyoubi)	21-Apr-15	Hamadan	N/A	N/A	Propaganda against the regime	22-Apr-15
	May/Jun-15	Hamadan	Trial held on 5-Aug-15; sentence announced on 15-Aug-15	1 years' imprisonment under ta'zir law	Propaganda against the regime	
Ms. Farideh Ayyoubi	21-Apr-15	Hamadan	N/A	N/A	Propaganda against the regime	N/A

Name	*Arrest date*	*Location of arrest/ City of residence*	*Date of trial/ Court order issued*	*Sentence*	*Charges*	*Date of release*
	May/Jun-15	Hamadan	Trial held on 5-Aug-15/ sentence announced on 15-Aug-15	1 years' imprisonment under ta'zir law	Propaganda against the regime	
Mrs. Romina Rahimian	May/Jun-15	Hamadan	Trial held on 5-Aug-15/ sentence announced on 15-Aug-15	1 years' imprisonment under ta'zir law	Propaganda against the regime	
Mr. Mehran Khandel	May/Jun-15	Hamadan	Trial held on 5-Aug-15/ sentence announced on 15-Aug-15	1 years' imprisonment under ta'zir law	Propaganda against the regime	
Ms. Fataneh Moshtagh	Oct/Nov-12	Hamadan	N/A	N/A	N/A	After 9 hours
	May/Jun-15	Hamadan	Trial held on 5-Aug-15/ sentence announced on 15-Aug-15	1 years' imprisonment under ta'zir law	Propaganda against the regime	
Ms. Rouha Imani	12-May-15	Kerman	N/A	N/A	N/A	
Mr. Saba Golshan	2-Aug-12	Isfahan	Court hearing held for 20 Baha'is on 24-Aug-13 in Branch 1 of the Revolutionary Court in Yazd	5 years: 4 years' imprisonment under ta'zir law and 1 years' suspended imprisonment	"Propaganda against the sacred regime of the Islamic Republic of Iran", and "assembly and collusion against national security" — person in charge of Isfahan Baha'i community	Unknown
	Began serving sentence on 13-Aug-15	Isfahan	13-Apr-14 — Court of Appeals in Yazd	4 years' imprisonment	(1) Propaganda against the regime of the Islamic Republic; (2) Propaganda in the interest of groups and/or organizations opposing the regime of the Islamic Republic	
Mr. Vahed Kholousi	22-Aug-12	Tabriz	N/A	N/A	N/A	23-Sep-12

Name	*Arrest date*	*Location of arrest City of residence*	*Date of trial Court order issued*	*Sentence*	*Charges*	*Date of release*
	13-Sep-15	Tabriz	N/A	N/A	N/A	
Mr. Shahram Eshraghi Najafabadi	1983/84	N/A	N/A	1 year	N/A	Unknown
	31-Jul-12	Isfahan	Court hearing held for 20 Baha'is on 24-Aug-13 in Branch 1 of the Revolutionary Court in Yazd	4 years: 3 years' imprisonment under ta'zir law and 1 years' suspended imprisonment	"Propaganda against the sacred regime of the Islamic Republic of Iran", and "assembly and collusion against national security" — person in charge of Isfahan Baha'i community	Approx. Sep-12: Released on bail
		Isfahan	13-Apr-14 — Court of Appeals in Yazd	N/A	1. Propaganda against the regime of the Islamic Republic; 2. Propaganda in the interest of groups and/or organizations opposing the regime of the Islamic Republic.	
Mrs. Azita Rafizadeh (Koushk-Baghi)	12-Mar-13 summoned to the Revolutionary court		N/A	N/A		N/A
	Summoned by telephone to serve her sentence (Apr-15)	Karaj	Convicted in Feb-15	4 years' imprisonment	Activity against national security by membership in BIHE	
Mr. Peyman Koushk-Baghi	12-Mar-13 summoned to the Revolutionary court	N/A	N/A	N/A	N/A	N/A
	28-Feb-16	Karaj	May-15: sentenced to five years of imprisonment under ta'zir law	5 years' imprisonment	Activity against national security by membership in BIHE	

Name	*Arrest date*	*Location of arrest / City of residence*	*Date of trial / Court order issued*	*Sentence*	*Charges*	*Date of release*
Mr. Afshin Seyyed Ahmad	8-Nov-12	Tehran	N/A	3 years' imprisonment	N/A	N/A
	Began serving sentence on 28-Jun-16		N/A	N/A	N/A	
Mr. Yashar Rezvani	2-Aug-16	Unknown	N/A	N/A	N/A	
Mrs. Filawr Ram	1-Feb-17	Zahedan	N/A	N/A	N/A	
Mr. Shayan Rowhani	18-Oct-17	Zahedan	N/A	N/A	N/A	
Mr. Reza Fathi	16-Apr-17	Shahmirzad Semnan	N/A	N/A	N/A	
Ms. Mitra Nouri	17-Oct-12	Minudasht (Gorgan)	N/A	N/A	N/A	N/A
	13-Jun-17	Minudasht (Gorgan)	12-Oct-15; 5-Jan-16; 29-Sep-16 (Appeal)	1 year and 6 months' imprisonment"	a) Membership in the unlawful Bahaist administration and anti-security [propaganda] to advance Bahaism, through a plan known as Ruhi, as tutors, animators, and children's teachers; b) Propaganda in favour of Bahaism and against the regime of the Islamic Republic of Iran by way of active involvement in extending the Ruhi plan throughout the Gulistán Province; c) Collaboration with hostile governments by way of assisting and effective involvement in advancing the goals of the sectarian anti-Islamic and anti-Shia arrogant and hostile governments.	
Ms. Parisa Shahidi	13-Jun-17	Minudasht (Gorgan)	5-Jan-16; 29-Sep-16 (Appeal)	1 year and 9 months' imprisonment"	a) Membership in the unlawful Bahaist administration and anti-security [propaganda] to advance Bahaism, through a plan known as Ruhi, as tutors, animators, and children's teachers; b) Propaganda in favour of Bahaism and against the regime of the Islamic Republic of Iran by way of active involvement in extending the Ruhi plan throughout the Gulistán Province; c) Collaboration with hostile governments by way of assisting and effective involvement in advancing the goals of the sectarian anti-Islamic and anti-Shia arrogant and hostile governments.	
Ms. Sheida Ghodosi	17-Oct-12	Minudasht (Gorgan)	N/A	N/A	N/A	20-Nov-17

Name	*Arrest date*	*Location of arrest/ City of residence*	*Date of trial/ Court order issued*	*Sentence*	*Charges*	*Date of release*
	13-Jun-17	Minudasht (Gorgan)	28-Dec-15; 5-Jan-16; 29-Sep-16 (Appeal)	1 year and 9 months' imprisonment"	a) Membership in the unlawful Bahaist administration and anti-security [propaganda] to advance Bahaism, through a plan known as Ruhi, as tutors, animators, and children's teachers; b) Propaganda in favour of Bahaism and against the regime of the Islamic Republic of Iran by way of active involvement in extending the Ruhi plan throughout the Gulistán Province; c) Collaboration with hostile governments by way of assisting and effective involvement in advancing the goals of the sectarian anti-Islamic and anti-Shia arrogant and hostile governments.	
Mr. Vargha Mehdizadeh Sobhan	3-Jul-17	Shiraz	N/A	N/A	N/A	
Mrs. Shiva Akhlaqi	3-Jul-17	Shiraz	N/A	N/A	N/A	
Mr. Mehran Tashakkor	9-Jul-17	Sirjan	N/A	N/A	N/A	
Ms. Shiva Rouhani	11-Jul-17	Minudasht (Gorgan)	28-Dec-15; 5-Jan-16; 29-Sep-16 (Appeal)	1 year and 6 months' imprisonment"	a) Membership in the unlawful Bahaist administration and anti-security [propaganda] to advance Bahaism, through a plan known as Ruhi, as tutors, animators, and children's teachers; b) Propaganda in favour of Bahaism and against the regime of the Islamic Republic of Iran by way of active involvement in extending the Ruhi plan throughout the Gulistán Province; c) Collaboration with hostile governments by way of assisting and effective involvement in advancing the goals of the sectarian anti-Islamic and anti-Shia arrogant and hostile governments.	
Mrs. Mahta Ighani	2-Sep-17	Mashhad		N/A	N/A	
Mrs. Hena Koushkebaghi	20-Jan-13	Gonbad Kavus		N/A	N/A	3-Feb-13
	12-Oct-17	Gonbad Kavus	28-Apr-15; 5-Jan-16; 29-Sep-16 (Appeal)	1 year and 9 months' imprisonment"	a) Membership in the unlawful Bahaist administration and anti-security [propaganda] to advance Bahaism, through a plan known as Ruhi, as tutors, animators, and children's teachers; b) Propaganda in favour of Bahaism and against the regime of the Islamic Republic of Iran by way of active involvement in extending the Ruhi plan throughout the Gulistán Province; c) Collaboration with hostile governments by way of assisting and effective involvement in advancing the goals of the sectarian anti-Islamic and anti-Shia arrogant and hostile governments.	
Mrs. Nazila Khanipour Machiani	16-Oct-17	Rasht	N/A	N/A	N/A	

Name	*Arrest date*	*Location of arrest / City of residence*	*Date of trial / Court order issued*	*Sentence*	*Charges*	*Date of release*
Mr. Bijan Ahmadi	21-Oct-17	Birjand	N/A	N/A	N/A	
Mr. Firouz Ahmadi	21-Oct-17	Birjand	N/A	N/A	N/A	
Mr. Siyamak Abdul-Hamidi	1-Nov-17	Rasht	N/A	N/A	N/A	
Mrs. Nadia Asadian	11-Nov-17	Rasht	N/A	N/A	N/A	
Mr. Hasan Savestani Momtaz	15-Nov-17	Shiraz	Feb/Mar-14	5 years' imprisonment	Teaching at the Bahá'í Institute for Higher Education	
Mr. Burhan Tibyanian	2-Dec-17	Kermanshah	N/A	N/A	N/A	
Ms. Farzaneh Amini	2-Dec-17	Kermanshah	N/A	N/A	N/A	
Ms. Naghmeh Shadabi	2-Dec-17	Kermanshah	N/A	N/A	N/A	
Ms. Soheila Shadabi	2-Dec-17	Kermanshah	N/A	N/A	N/A	
Mr. Navid Moallem	17-Oct-12	Minudasht (Gorgan)	N/A	N/A	N/A	
	3-Dec-17	Minudasht (Gorgan)	12-Oct-15; 5-Jan-16; 29-Sep-16 (Appeal)	1 year and 6 months' imprisonment	a) Membership in the unlawful Bahaist administration and anti-security [propagar da] to advance Bahaism, through a plan known as Ruhi, as tutors, animators, and children's teachers; b) Propaganda in favour of Bahaism and against the regime of the Islamic Republic of Iran by way of active involvement in extending the Ruhi plan throughout the Gulistán Province; c) Collaboration with hostile governments by way of assisting and effective involvement in advancing the goals of the sectarian anti-Islamic and anti-Shia arrogant and hostile governments.	
Mr. Namjuyan	13-Dec-17	Unknown	N/A	N/A		
Ms. Negin Ghadamian	18-Dec-17	Tehran	12-Mar-13; 8-Jun-16	5 years' imprisonment	Membership in the illegal administration of the perverse Bahaist sect, with intent to act against national security by way of illegal activities in the Bahaist educational institution	